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## SH#2291408

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
**SHERIFF'S DEPARTMENT**
*A Tradition of Service*

DATE: July 26, 2012
FILE NO:

OFFICE CORRESPONDENCE

**FROM:** MICHAEL J. ROTHANS, COMMANDER
FIELD OPERATIONS REGION III

**TO:** JOHN H. CLARK, CAPTAIN
INTERNAL AFFAIRS BUREAU

**SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:**

| | |
|---|---|
| Case Number: | SH2291408 |
| Incident: | Hit Shooting |
| Incident Date: | June 23, 2011 |
| Unit: | South Los Angeles Station/FOR II |
| Suspect: | William L. Quiros, M/32 |
| Involved Employees: | Deputy David Chevez, #[redacted]<br>Deputy Ericka Gooseberry, #[redacted] |
| EFRC Date: | July 26, 2012 |

The Executive Force Review Committee consisting of Commander Michael Rothans, Commander Stephen Johnson, and Commander David Fender met and reviewed the above case.

**FINDINGS:**
The Committee determined the force used by Deputy Chevez was objectively reasonable and in compliance with Department Policy. The Committee also determined the tactics used were within the Department's training standards.

**RECOMMENDATIONS:**
The Committee recommended that Deputy Chevez and Deputy Gooseberry attend the four hour Arrest and Control for Field Operations class.

MJR:JER:jer




# LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
## BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
## JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

February 29, 2012

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 11-0434
L.A.S.D. File # 011-05750-0399-013

Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 23, 2011, fatal shooting of William Lazaro Quiros by Los Angeles County Sheriff Deputy David Chevez. It is our conclusion that Deputy Chevez acted in lawful self-defense and defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by Investigators Boyd Zumwalt and James Charles, LASD, Homicide Bureau. The District Attorney's Command Center was notified of the shooting on June 23, 2011, at approximately 7:45 p.m. The District Attorney Response Team, comprised of Deputy District Attorney Deborah Escobar Delport and District Attorney Supervising Investigator Gregory Frum, responded and was given a briefing and a walk-through of the scene. Deputy Chevez provided a voluntary statement which was considered as part of this analysis.

## FACTUAL ANALYSIS

On June 23, 2011, at approximately 6:40 p.m., Deputies Ericka Gooseberry and David Chevez were working uniformed patrol in a marked police vehicle travelling northbound on Prairie Avenue. They observed William Lazaro Quiros walking quickly away from the Quick Stop liquor store with his right hand on the front part of his waistband, as if he was clutching something. Both deputies recognized Quiros as a parolee and Chevez knew him to be a

Lennox-13 gang member.[1] Gooseberry and Chevez decided to contact Quiros. By this time, Quiros was seated in the driver's seat of a maroon Nissan Altima parked in the parking lot with the door opened.

The deputies pulled into the lot and parked behind the Altima. Gooseberry and Chevez exited the patrol car and quickly approached the driver's side of the car. Chevez removed his service weapon from its holster.[2] As soon as Quiros saw the deputies, he stood outside the car and said, "What the fuck are you doing? What the fuck do you want?" Gooseberry removed her service weapon at this time. Chevez attempted to calm Quiros, to no avail. Chevez grabbed Quiros' right forearm with one hand and ordered him to place his hands behind his back. Quiros ignored the order and continued to curse loudly at the deputies. Chevez turned Quiros toward the car and patted down his waistband area and felt what he recognized to be a firearm. He informed Gooseberry of the gun and told her to handcuff Quiros. Gooseberry holstered her service weapon and grabbed Quiros' right arm while Chevez held onto his left arm. Quiros resisted Gooseberry's attempt to handcuff him and elbowed her in the chest. Quiros broke free of the deputies and ran toward the rear of the Altima.

Chevez immediately grabbed onto Quiros' shirt and tried to trip him. Quiros ignored Chevez' repeated orders to stop and show his hands. As Quiros ran along the passenger side of his car, he suddenly turned to his left and reached his right hand toward his waistband. Chevez believed that Quiros was about to remove the firearm and shoot at them. In fear for his life, and his partner's life, Chevez let go of Quiros' shirt, moved to his right and fired four times at Quiros. Quiros fell to the ground and continued to move despite being ordered by the deputies to remain still. Gooseberry called for assistance and a rescue ambulance. The deputies covered Quiros with their service weapons until responding deputies arrived.

Los Angeles County Fire and Rescue pronounced Quiros dead at the scene from multiple gunshot wounds. The postmortem toxicology report revealed that Quiros' blood tested positive for the presence of marijuana and methamphetamine.

A Derringer-style .38 special handgun was recovered from Quiros right front pants pocket. The double barreled, break action, two-shot handgun was unloaded and wrapped in a red cloth towel.

Witnesses

[redacted] was parking her car across the street from the Quick Stop when she saw the police vehicle pull into the parking lot. As she was exiting her car, she saw two deputies talking to Quiros, who was seated in his car. She walked around the front of her car and heard a gunshot. She ducked down and ran to the passenger side of her car. She looked back across

[1] [redacted]
Quiros was on parole and wanted for a parole violation at the time of the shooting.

[2] Quiros' parole status, gang affiliation and the manner in which Quiros held his waistband as he walked quickly from the liquor store, led the deputies to believe that he was carrying a firearm and may have committed a robbery inside the store.

the street and saw Quiros running through the parking lot with Chevez a short distance behind him. Quiros had his left hand at his belt as if he was holding something. Quiros turned slightly to the left and looked over his shoulder. At that time, Chevez fired three to four times and Quiros fell to the ground. She heard Chevez repeatedly yell at Quiros, "I need to see your hands! I need to see your hands!"

[redacted] was parked at the Quick Stop when he saw Quiros enter the liquor store and return to his car a short time later. A patrol car pulled into the lot and two deputies approached Quiros' car. Quiros jumped out of the car and lunged at the deputies. Quiros struggled with the deputies and pulled his hands away as the deputies attempted to handcuff him. After 10 to 15 seconds, Quiros was able to break free from the deputies' control. As Quiros ran from the deputies, [redacted] heard two gunshots and three seconds later heard two more. Quiros stumbled and fell to the ground. [redacted] did not know where Quiros' hands were at the time of the shooting.[3]

[redacted] was parked in the Quick Stop parking lot at the time of the shooting. Through her rear window, she saw the police vehicle stop behind Quiros' car. Quiros was seated in the driver's seat with the door opened as the deputies approached him. The deputies drew their service weapons as they were talking to Quiros. Quiros exited the car and struggled with the deputies. [redacted] turned away for a few moments and when she looked back, Quiros appeared to be fleeing from the deputies. As he was running, she heard four to five gunshots. Quiros fell to the ground. [redacted] heard Quiros cursing at the deputies while he was on the ground.[4]

[redacted], went inside the liquor store to use the restroom. He looked outside and saw a police vehicle in the parking lot and two deputies talking to Quiros, who was seated in his car. The deputies were carrying guns in their hands. He then heard four gunshots. He never saw Quiros run. He did hear Chevez yell, "Don't move! Don't move!"

## CONCLUSION

California Penal Code §3067(a) requires every prisoner eligible for release on state parole "shall agree in writing to be subject to search and seizure by a parole officer or other peace officer at any time of the night or day, with or without a search warrant or with or without cause."

Officers do not need probable cause nor reasonable suspicion to conduct a parole search. This type of search is not a violation of the parolee's fourth amendment rights. See *Samson v. California* (2006) 547 U.S. 843; See *People v. Reyes* (1998) 19 Cal.4th 743, 753.

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[redacted] provided a full statement to Deputy Hooper when he was contacted at the scene. [redacted] refused to describe the shooting during a second interview with Investigators Zumwalt and Charles "on the advice of his attorney."

4 [redacted] observations were compiled from interviews she provided to Deputy Hooper and Investigators Zumwalt and Charles.

The use of deadly force in self-defense or in defense of another is justifiable if the person claiming the right actually and reasonably believed (1) that he or the person he was defending was in imminent danger of being killed or suffering great bodily injury, (2) that the immediate use of force was necessary to defend against that danger, and (3) that he used no more force than was reasonably necessary to defend against that danger.
[See *California Criminal Jury Instructions—CALCRIM 505*]

The evidence examined in this investigation shows that Deputies Gooseberry and Chevez were attempting to conduct a lawful parole search of Quiros. Quiros was uncooperative and used force against the deputies in an attempt to escape. As he fled, he ignored commands to stop and show his hands. Instead, he reached for his waistband where Chevez had detected the presence of a firearm. Quiros' actions placed Chevez in reasonable fear for his life, and the life of his partner, and caused him to respond with deadly force.

We conclude that Deputy David Chevez acted in lawful self-defense and defense of others when he used deadly force against William Lazaro Quiros. We are therefore closing our file and will take no further action in this manner.

Very truly yours,

STEVE COOLEY
District Attorney

By *Deborah Escobar Delport*

DEBORAH ESCOBAR DELPORT
Deputy District Attorney
(213) 974-3888

c: Deputy David Chevez #[redacted]

# Los Angeles County Sheriff's Department

# Officer Involved Shooting



| | | | |
|---|---|---|---|
| Report Date: 06-23-11 | Bureau/Station/Facility: South Los Angeles | Admin. Invest.? ☐ | Hit? ☒ |

## Incident Information

| | |
|---|---|
| URN: 011-05750-0399-013 | Date: 06-23-11 Time: 1847 |
| City or Station: Hawthorne | Nature of Incident: See Attached Summary |
| Location: 12845 Prairie Avenue | |

**Location Type** (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, **Parking Lot** (circled), Residence, Rural, School, Street, Other: ______

**Lighting** (*circle only one*): Darkness, **Daylight** (circled), Other, Street Lights

**Weather** (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

**Distance:** 10-12 Feet

**Incident Type** (*circle one or more*): Accidental, **Armed Person** (circled), **Fleeing Suspect** (circled), Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, **Struggle Involved** (circled), **Traffic Stop** (circled), Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

**Initiated by** (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

**Prior Activity** (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol** (circled)

Total # of Shots Fired by Deputy: 4

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (*circle only one*) | ShiftType (*circle only one*) |
|---|---|---|---|---|---|
| [redacted] | Gooseberry | Ericka | | EM **PM** (circled) Day | **Regular** (circled) Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |

## Non-Employee Witnesses

| | | | | | |
|---|---|---|---|---|---|
| Last Name | [redacted] | First Name | [redacted] | M.I. | [redacted] |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] | |
| Last Name | [redacted] | First Name | [redacted] | M.I. | [redacted] |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] | |
| Last Name | [redacted] | First Name | [redacted] | M.I. | |
| Street Address [redacted] | City [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] | |

## Supervisors

| Employee # | Last Name | First Name | M.I | (*circle one or more*) |
|---|---|---|---|---|
| [redacted] | Reyes | Mark | | **On Duty** (circled), Present during shooting, Witness to shooting, Involved in shooting |
| | | | | On Duty, Present during shooting, Witness to shooting, Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Antuna | Phyllis | L. |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Burson | Matthew | J. |

**PSTD Use Only**

**SH #** ______

# Officer Involved Shooting

URN: 011-05750-0399-013



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 06-23-11 | 1847 | 04-02-12 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Fredericks | Stefanie | |
| [redacted] | Flores | Carlos | |
| [redacted] | Adler | Kelly | |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

( 9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## *FORCE APPLIED* *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S#1 | E#1 | FH | ZZ | 38 | N | N | NN | NN |
| E#1 | S#1 | FH | BR | 9m | Y | Y | GS | BK |
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See Front Side

# Officer Involved Shooting
# Involved Employee Information

URN: 011-05750-0399-013



## Involved Employee

**E 1**

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name Chevez | First Name David | M.I. |
| Sex: M Race: Hispanic | Rank Deputy | Unit Assignment: South Los Angeles | Work Assignment (Unit #, Module, etc.): 30W2 |
| ShiftTime (*circle only one*): EM **PM** Day | ShiftType (*circle only one*): **Regular** Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: 2-3 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest** | Other Factors: |
| Age: [redacted] Height: 507 | Weight: 190 | | |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted] |
| Weapons Fired Brand: Beretta | Caliber 9mm # Shots 4 | Weapons Fired Brand: | Caliber # Shots |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

**E__**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest | Other Factors: |
| Age: Height: | Weight: | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐ |
| Weapons Fired Brand: | Caliber # Shots | Weapons Fired Brand: | Caliber # Shots |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

**E__**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest | Other Factors: |
| Age: Height: | Weight: | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐ |
| Weapons Fired Brand: | Caliber # Shots | Weapons Fired Brand: | Caliber # Shots |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

# Officer Involved Shooting Suspect Information

## Suspect Information

**S 1**

| | | |
|---|---|---|
| Last Name: Quiros | First Name: William | M.I.: L. |
| AKA Last Name: "Cuba" "Menace" | First Name: | M.I.: |

| | | | |
|---|---|---|---|
| Sex: M Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted] |
| Work Phone: ---- | Home Phone: ---- | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 3219 Olive Street D.O.B.: 12-31-78 | Height: 601 Weight: 172 | FBI #: [redacted] | CII #: [redacted] |
| Booking #: N/A | Primary Charge: N/A | Secondary Charge: N/A | |
| Coroner Case? ☒ | Coroner Case #: 2011-04266 | Intoxication/Drug Usage? ☒ | Substance Used: Marijuana/Methamphetamine |
| Armed? ☒ | Apprehended? ☒ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make: Dodge | | Model: Concord | Year: 1997 |

**S__**

| | | |
|---|---|---|
| Last Name: | First Name: | M.I.: |
| AKA Last Name: | First Name: | M.I.: |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B.: | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |

**S__**

| | | |
|---|---|---|
| Last Name: | First Name: | M.I.: |
| AKA Last Name: | First Name: | M.I.: |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B.: | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |

**S__**

| | | |
|---|---|---|
| Last Name: | First Name: | M.I.: |
| AKA Last Name: | First Name: | M.I.: |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City: | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B.: | Height: Weight: | FBI #: | CII #: |
| Booking #: | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case #: | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make: | | Model: | Year: |



See Other Side

# SUPPLEMENTAL NON-EMPLOYEE WITNESSES
## Los Angeles County Sheriff's Department



**Non-Employee Witnesses**

| Last Name | First Name | M.I. | Street Address | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | |
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**INVESTIGATIVE SUMMARY**
**DEPUTY INVOLVED SHOOTING: HIT**
**SH# 2291408**
**URN 011-05750-0399-013**

**DATE / TIME / LOCATIONS**

Thursday, June 23, 2011
1847 hours
12845 Prairie Avenue, Hawthorne

On June 23, 2011, at approximately 1847 hours, Deputy David Chevez, and his partner, Deputy Ericka Gooseberry, were traveling north on Prairie Avenue, approaching El Segundo Blvd. The deputies were in a marked Sheriff's Department patrol vehicle, working Unit 30W2.

> **IAB Note:** Unit 30W2 is part of a "Summer Enforcement Team," consisting of deputy personnel from the South Los Angeles Station. The Daily In-Service sheet for 06-23-11 is included in this case book. See **Miscellaneous Documents**. Unit 30W2's Deputy Daily Work Sheet, and Unit History Report is also included. See **Miscellaneous Documents**.

As they drove past the "Quick Stop" market, located at 12845 Prairie Avenue, they saw a Hispanic male, later identified as Suspect William Quiros, walking south, in the north portion of the parking lot. The suspect was walking away from the market, and approaching a red vehicle, which was parked in one of the stalls, facing south.

> **IAB Note:** Area and Neighborhood Maps of the location are included in this case book. See **Exhibit C**.

The two deputies recognized the suspect, and knew him to be a gang member. They also believed the suspect was on active parole. They saw that the suspect was walking quickly through the parking lot, and holding on to his waistband with his right hand. The deputies then decided to pull into the parking lot, and contact Suspect Quiros.

As the deputies drove into the lot, the suspect opened the door to his car, and sat in the driver's seat. The deputies stopped their vehicle in the parking lot, in a southwest direction, approximately 10 feet away from the suspect's vehicle. They exited their patrol vehicle, drew their firearms from their holsters, and approached the suspect. The suspect turned, saw the deputies, immediately exited his vehicle, and began shouting at them. The suspect shouted to the deputies "What the fuck do you want?" and, "What

are you guys doing?" The suspect was facing the deputies as he shouted at them.

Deputy Chevez reached out with his left hand, and took hold of the suspect's right forearm. Deputy Chevez then ordered the suspect to place his hands behind his back. Utilizing his left hand, and while holding his firearm with his right, Deputy Chevez forcefully turned the suspect around, until he was facing his (suspect's) car. As the suspect faced his vehicle, Deputy Chevez, utilizing his left hand, felt the suspect's waist area, and felt what he believed to be a firearm.

Deputy Chevez immediately advised his partner that the suspect was armed, and told her to handcuff him. Deputy Chevez then took hold of the suspect's left arm, as Deputy Gooseberry holstered her weapon, and took hold of the suspects right arm. Deputy Gooseberry then removed her handcuffs from their pouch, and prepared to handcuff the suspect. The suspect continued to be argumentative and belligerent toward the deputies.

As Deputy Gooseberry attempted to handcuff the suspect, the suspect suddenly swung his right arm back, breaking Deputy Gooseberry's grip. The suspect's arm continued in a backwards motion, and he struck Deputy Gooseberry's chest, with his right elbow. Suspect Quiros then ran north, west, and then south around the rear of his vehicle. Deputy Chevez took hold of the suspect's shirt, and followed the suspect around the vehicle. Deputy Chevez shouted several times to the suspect, ordering him to stop, but the suspect would not comply.

Deputy Chevez attempted to "sweep" the suspect's feet from under him, in order to take him down to the ground, but he was unsuccessful. The suspect continued running, as Deputy Chevez held on to his shirt. The suspect's actions caused Deputy Chevez to lose his grip of the suspect's shirt, causing the suspect to break free. The suspect continued running several feet in a south direction, while keeping his right hand in his waistband. The suspect then turned to his left, while reaching in his waistband. The suspect's actions caused Deputy Chevez to believe the suspect was retrieving his weapon, and was about to shoot him and his partner. Deputy Chevez took several steps to his right, and fired several times at the suspect, striking him.

Suspect Quiros fell to the ground, but continued to move his body. Both deputies took a position of cover and ordered the suspect to stop moving. The deputies also initiated emergent radio traffic. They advised that they had been involved in a shooting, and requested additional deputies, and paramedics, to their location.

When the assisting deputies arrived, they immediately formed an arrest team. Utilizing the protective shield, the arrest team approached the suspect and handcuffed him. The suspect was treated at the scene by Los Angeles County Fire Department Paramedics, Engine Company #161, under the direction of Captain Harter. The suspect sustained multiple gunshot wounds, and was pronounced dead at the scene at 1902 hours.

Internal Affairs Bureau Lieutenant Stefanie Fredericks was notified, and along with Sergeants Carlos Flores and Kelly Adler, responded to the location to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

**IAB Note:** Homicide Bureau's complete case book is included in this case book. See **Exhibit A**.

## IAB SHOOTING / FORCE TEAM

Lieutenant Stefanie Fredericks, Sergeant Carlos Flores, and Sergeant Kelly Adler.

## INVOLVED PERSONNEL

**Chevez**, David, Deputy #[redacted] MH[redacted]5-08 165 [redacted]
South Los Angeles Station

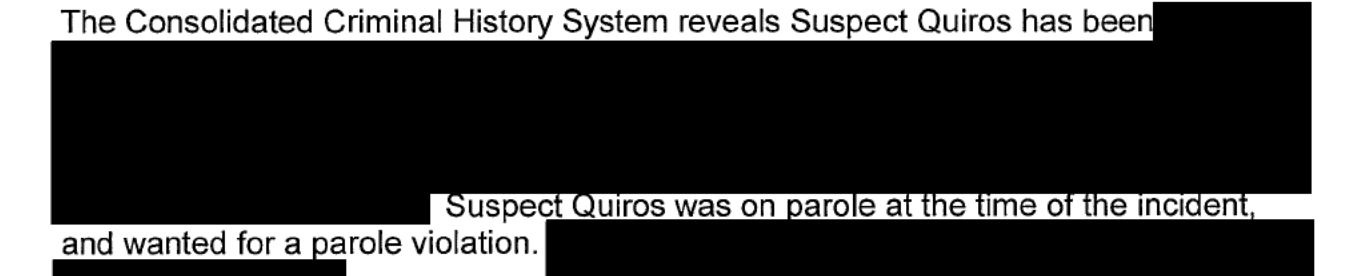
Date of Employment: 06-22-2005
Date Assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

## SUSPECT

**Quiros,** William Lazaro MH/32 DOB: 12-31-1978 6-01 172

The Consolidated Criminal History System reveals Suspect Quiros has been [redacted]



Suspect Quiros was on parole at the time of the incident, and wanted for a parole violation. [redacted]

**IAB Note:** Suspect Quiros' Criminal History Report is included in this case book. See **Exhibit B**. Warrant information is also included. See **Exhibit A, Page 93**.

## EMPLOYEE WITNESSES

**Gooseberry**, Ericka, Deputy #[redacted]

## NON-EMPLOYEE WITNESSES


[redacted], FB/[redacted]

[redacted], MB/[redacted]

[redacted], MW[redacted]

[redacted] FB/[redacted]

[redacted] MH/[redacted]

[redacted] MB/[redacted]

## INJURIES

## SUSPECT

Suspect Quiros sustained multiple gunshot wounds. He was treated at the scene by Los Angeles County Paramedics, Rescue Company Number 161, under the direction of Captain Harter. Suspect Quiros was pronounced dead at the scene. The deceased suspect was assigned Los Angeles Coroner Case Number 2011-04266.

**IAB Note:** The Coroner's Autopsy Report is included in this case book. See **Exhibit A, Pages 125-158**. The report indicates that Suspect Quiros sustained three gunshot wounds. The Toxicology Report indicates that Marijuana, and Methamphetamine, were detected in the suspect's body.

## DEPUTY PERSONNEL:

None

## PHYSICAL EVIDENCE

Several items of evidence were collected by the staff from Scientific Services Bureau. The suspect's firearm was amongst the items recovered and collected as evidence.

**IAB Note:** A sketch of the crime scene, and evidence legend, is included in this case book. See **Exhibit E**. Photographs of the scene are also

included. See **Exhibits D and F**.

## DISTANCE

Approximately 10 to 12 feet.

## INVESTIGATOR OBSERVATIONS

The Internal Affairs Bureau investigators arrived at the scene (12845 Prairie Avenue), approximately two hours after the incident had occurred.

The investigators observed that the crime scene is an asphalt paved parking lot, that serves several small businesses, on the west side of Prairie Avenue. The building, consisting of several distinct addresses, is arranged in an "L" shape, around the parking lot. The parking lot is divided into two sections, by a raised concrete planter. The planter also contains a light, that illuminates both the north and south portion of the lot.

The investigators observed a marked black and white Sheriff's Department patrol car, #SD6193, parked in a southwest direction, in the north driveway of the parking lot. Several feet in front of the patrol car was a red Nissan Altima, License Plate #[redacted] with the driver's door open. The Altima (suspect's vehicle), was parked in a south facing parking stall, against the planter that separates the lot.

The investigators observed the suspect's body lying on the ground, just south of the planter, in the fourth parking stall from the east. The suspect was lying on his back, with his head pointed south and his feet pointed north. There were several blood stains around the suspect's body, and underneath his body. The suspect's body was naked, as his clothes had been removed by paramedics when they treated him at the scene. There were several pieces of torn garments around and underneath the suspect's body.

**IAB Note:** Area and Neighborhood Maps are included in this report. See **Exhibit C**. Scene photographs are also included. See **Exhibits D and F**. The Sketch of the scene, and evidence legend is included as well. See **Exhibit E**.

## REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Investigator reviewed the emergent radio traffic initiated by the involved deputies.

In the recording, Deputy Chevez can be heard requesting emergency clearance, ("10-33, give me the patch"). Deputy Chevez then identifies his unit, ("30W2"), and advises that he has been involved in a shooting ("998"). Deputy Chevez additionally advises his location, and that he is detaining one suspect at gunpoint, facing south. He

requests paramedics to his location, but advises that they should "stage." Deputy Chevez states that there is one suspect "down," and that there are no deputies injured.

The Sheriff's Communications Center's, (SCC), dispatcher is heard asking other units for their estimated time of arrival to the location. She then asks Deputy Chevez what direction he is facing. Deputy Chevez advises that he is facing south, and requests that assisting units arrive from the north. Deputy Chevez then gives his exact location by broadcasting the address.

Assisting units, including a unit from Aero Bureau, begin to advise that they are responding. Assisting units also advise that they will direct paramedics to stage at El Segundo Boulevard and Prairie Avenue, which is approximately one half block north of where the shooting occurred. Deputy Chevez advises that there are no outstanding suspects, and that it will only be necessary to contain the shooting location. He states that no additional containment would be needed.

A sergeant unit is then heard asking the SCC dispatcher to advise the paramedics that they may respond to the location of the shooting. A deputy is then heard stating that the suspect is being treated and the situation is "Code 4."

**IAB Note:** A Compact Disc containing a recording of the emergent radio traffic is included in this case book. Emergent radio traffic begins at 4:07 of the "Windows Media" File. See **Exhibit G**.

## LIGHTING AND WEATHER CONDITIONS

The incident occurred on a clear afternoon (1847 hours).

## WEAPONS USED BY DEPUTY PERSONNEL

**Deputy Chevez:**

| | |
|---|---|
| Service Weapon Type: | Beretta 9mm Semi-Automatic |
| Rounds Fired: | Four |
| Type of Ammunition Used: | Department Issued Luger (Win) Ranger SXT 147gr. |
| Date Employee Last Qualified: | [redacted] |

**IAB Note:** An examination of Deputy Chevez' firearm indicated he had shot a total of four rounds. Two expended, 9mm casings were recovered at the scene. See **Exhibit E**. The Test Fire Exam Report of Deputy Chevez' firearm is included in this case book. See **Miscellaneous Documents**. Deputy Chevez' Firearms Training Record, and Qualification Record is also included. See **Miscellaneous Documents**.

## WEAPONS USED BY SUSPECT

Suspect Quiros was in possession of a .38 Caliber "Derringer," Model D-38. Serial Number [redacted] The firearm was not loaded. The firearm was recovered from Suspect Quiros' right front pant's pocket.

**IAB Note:** Photographs of the suspect's firearm are included in this case book. See **Exhibits D and F**.

## PROPERTY DAMAGE

A gold 2005 Cadillac DHS, License Numbe[redacted] was parked on the south west portion of the location's parking lot. The vehicle was parked in front of 12855 Prairie Avenue, "Donna's Restaurant." The vehicle sustained a bullet strike on the front driver's side door. The vehicle's registered owner is [redacted] who resides in the city of Gardena.

A silver 2006 Toyota Rav4, License Number [redacted] was parked on the west portion of the location's parking lot. The vehicle was parked in front of 12853 Prairie Avenue, "Fancy Nails." The vehicle sustained an impact on the right rear passenger's door. It could not be determined whether this impact was caused by a bullet. The vehicle's registered owner is [redacted] who resides in the city of Stanton.

**IAB Note:** Photographs of the above listed damage are included in this case book. See **Exhibits D and F**. A sketch of the scene, which includes the positions of the above listed vehicles, is also included. See **Exhibit E**.

## CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators: Detectives Boyd Zumwalt #[redacted] and James Charles #[redacted]
Homicide Bureau

Charges: Suspect Deceased

## INVOLVED EMPLOYEE STATEMENTS

**Involved Deputy David Chevez** was interviewed by **Homicide Bureau Detectives**, Boyd Zumwalt and James Charles, on June 24, 2011, at 0112 hours. The interview was conducted at the South Los Angeles Station, and was digitally audio recorded. Deputy Chevez was represented by Attorney Mitch Kander.

Deputy Chevez stated that he and his partner, Deputy Gooseberry, were working Unit

30W2. He said she was driving the patrol vehicle, and he was sitting in the front passenger seat. He said they were traveling north on Prairie Avenue, coming from 130th Street, when they saw the suspect walking south through the parking lot of the "Quick Stop" Market (12845 Prairie Avenue). Deputy Chevez said they saw that the suspect was walking away from the market, toward a maroon car parked in the lot.

Deputy Chevez stated that he recognized the suspect as a gang member who was known as "Menace," or "Cuba." He stated that he had heard about the suspect on a prior occasion, and knew that he was known to sell large quantities of narcotics in the area. Deputy Chevez stated that he saw as the suspect walked to his parked vehicle, he (suspect) kept his right hand near the front portion of his waistband.

Deputy Chevez stated that he and Deputy Gooseberry decided to contact Suspect Quiros. He said Deputy Gooseberry initiated a U-turn on Prairie Avenue, and entered the parking lot through the north entrance. She then parked the patrol car to the left and rear of the suspect's vehicle. He said that by the time they parked their patrol car, the suspect had already entered his vehicle and was sitting in the driver's seat.

Deputy Chevez said that he and his partner exited their vehicle and approached the suspect. He said that when the suspect became aware of their presence, he (suspect) quickly exited his vehicle, and began cursing at them. He said the suspect said, "What the fuck do you want? What are you doing?" Deputy Chevez said he attempted to explain to the suspect as to why they were contacting him, but he continued to be belligerent and uncooperative.

Deputy Chevez said that having already drawn his weapon, he closed the distance to the suspect to within an arm's reach. He said he took hold of the suspect's right forearm, and ordered him to put his hands behind his back. He said the suspect initially did not comply, but eventually did put his hands behind his back. Deputy Chevez said that as he held on to the suspect's right arm, he turned the suspect around until he (suspect) was facing his vehicle. He said he then released the suspect's arm, and utilizing his left hand, he felt the area of the suspect's waistband. Deputy Chevez said that he felt what he immediately recognized to be a firearm.

Deputy Chevez said he immediately told his partner that the suspect was armed, and directed her to handcuff the suspect. He said he then took hold of the suspect's left arm, as Deputy Gooseberry took hold of the suspect's right arm. Deputy Chevez said Deputy Gooseberry retrieved her handcuffs, and prepared to handcuff the suspect. He said the suspect suddenly swung his right elbow, striking Deputy Gooseberry. He said the suspect then turned and ran north, west, and then south around the rear of his (suspect's) vehicle.

Deputy Chevez said he took hold of the suspect's shirt and followed the suspect around the rear of his (suspect's) vehicle. He said he attempted to "sweep" the suspect's legs,

but he was unsuccessful. Deputy Chevez said he then lost his grip of the suspect's shirt, and the suspect continued south in the parking lot. He said the suspect took several steps away from him, and then turned to his left, while reaching in his waistband. Deputy Chevez said that fearing for his safety, the safety of his partner and the general public, he fired four to six rounds at the suspect.

Deputy Chevez said the suspect fell to the ground, but continued moving his body. He said he then requested assistance via his hand held radio, and detained the suspect at gunpoint. Deputy Chevez said that when assisting deputies arrived, they formed an arrest team. He said the deputies then, utilizing a protective shield, approached the suspect, and handcuffed him.

**IAB Note:** The Homicide Bureau Detectives summarized their interview with Deputy Chevez in a supplemental report included in this case book. See **Exhibit A, Page 41**. A Compact Disc, containing the audio recording of Deputy Chevez' interview, is also included in this case book. See **Exhibit H**.

**Involved Deputy David Chevez** was interviewed by **Internal Affairs Bureau Sergeants**, Carlos Flores and Scott Graham, on March 20, 2012, at 1015 hours. He was represented by Green and Shinee Attorney Alphonso Estrada. The interview was digitally audio recorded.

Deputy Chevez' statement and description of the incident during this interview was essentially the same as he provided to Homicide Bureau detectives. He then answered questions relative to tactics and training.

Deputy Chevez said that when he first saw the suspect walking in the parking lot, he recognized him, and told Deputy Gooseberry that they should contact him. He said he had been told by informants that the suspect was a known "drug dealer," and was also known to carry firearms.

Deputy Chevez said that when Deputy Gooseberry drove into the parking, he exited the patrol vehicle and immediately retrieved his firearm. He said that he retrieved his firearm based on what he knew about he suspect, and his belief that the suspect had possibly committed a robbery at the market.

Deputy Chevez said he approached the suspect and took hold of his right arm, with his left hand. He said he immediately approached and took hold of the suspect because he wanted to gain control of him as quick as possible. He said that though he suspected that the suspect could be armed, he was not certain. Deputy Chevez said he felt safe taking a hold of, and searching the suspect, while holding his gun in his right hand. He said he did not holster his weapon, and take hold of both the suspect's arms, because he believed he could verbally calm the suspect down, and get him to comply. Deputy

Chevez said that when he conducted the "sweep" of the suspect's waistband, he had already turned him around. He said he was standing behind, and to the left of the suspect.

Deputy Chevez said that as soon as he felt the suspect's firearm, he took hold of the suspect's left hand, and told Deputy Gooseberry to handcuff him. He said he saw Deputy Gooseberry holster her firearm and retrieve her handcuffs. Deputy Chevez said Deputy Gooseberry then took hold of the suspect's right arm. He said the suspect then swung his right elbow back, striking Deputy Gooseberry. Deputy Chevez said that the suspect's actions caused him and Deputy Gooseberry and to lose their grip on the suspect. He said the suspect then began running in a north direction.

Deputy Chevez said he took hold of the bottom of the suspect's shirt, in an attempt to keep the suspect from running away. He said the suspect continued running as he (Deputy Chevez) maintained a hold of the shirt. He said they ran around the suspect's vehicle, and ended up on the passenger side. He said he did not want to let the suspect go, due to his belief that he lived close by, and the knowledge that he was armed.

Deputy Chevez said that he lost his grip of the shirt, and the suspect continued in a south direction. He said the suspect took several steps, approximately a car length, and began turning to his left. Deputy Chevez said that as the suspect began turning to his left, he also reached into his waist with his right hand. He said that knowing the suspect was armed, he feared that he (suspect) was going to retrieve the firearm and use it. Deputy Chevez said that fearing for his safety, and the safety of his partner, and the general public, he shot at the suspect.

Deputy Chevez said he did not utilize his firearm's sights when he fired. He said he utilized a "point and shoot" method, and held his gun with his right hand only. He said he believed he shot four to six rounds in quick succession. Deputy Chevez said it was still light out, and his visibility was good. He said he was aware that his backdrop was another shopping center area across the street. He said he did not see any other people in the area when he shot, and his field of fire was clear. Deputy Chevez said that based on the suspect's actions, and the fact that he was in possession of a firearm, he felt he had no other option but to use deadly force. Deputy Chevez said that the incident, from the time he exited his vehicle, to when he shot the suspect, lasted approximately two minutes.

**IAB Note:** During his interview Deputy Chevez was shown a photograph of the scene, and the sketch created by Scientific Services Bureau. Deputy Chevez was asked to mark his, Deputy Gooseberry's, and the suspect's position at the time of the shooting. The photograph and sketch are included in this case book. See **Deputy Chevez' IAB Interview Transcript.**

For his complete statements refer to Deputy Chevez' interview transcripts.

**EMPLOYEE WITNESSES**

**Gooseberry, Ericka #[redacted]**

**Witness Deputy Gooseberry** was interviewed by Homicide Bureau Detectives Boyd Zumwalt and James Charles on June 24, 2011, at 0031 hours. Internal Affairs Bureau Sergeants, Carlos Flores and Kelly Adler, were also present during the interview. The interview was conducted at the South Los Angeles Sheriff's Station, and was digitally audio recorded. Deputy Gooseberry was represented by Attorney Mitch Kander.

Deputy Gooseberry stated that she and her partner, Deputy Chevez, were working Unit 30W2. She said that she was driving the marked patrol unit, as Deputy Chevez sat in the front passenger seat. Deputy Gooseberry stated that they were traveling north on Prairie Avenue, from 130th Street. She said that as they approached the "Quick Stop" Market, located at 12845 Prairie Avenue, they saw the suspect walking away from the market, to a parked vehicle. Deputy Gooseberry said she recognized the suspect as a "parolee."

Deputy Gooseberry said that as the suspect walked through the parking lot, he was grabbing his waistband with one of his hands. She said that she and her partner decided to contact the suspect. Deputy Gooseberry stated that she initiated a U-Turn, and entered the driveway of the parking lot. She said she parked the vehicle and both deputies exited. She said the suspect had already entered the driver's side of his vehicle. When the suspect saw them (both deputies) approach, he immediately exited his vehicle.

Deputy Gooseberry stated that the suspect began shouting at them, stating, "What the fuck do you want? What the fuck did I do?" She said that Deputy Chevez then began telling the suspect to put his hands behind his back. She stated that the suspect would not comply with Deputy Chevez' orders. Deputy Gooseberry stated that due to the suspect's actions and attitude, both she and Deputy Chevez had retrieved their firearms, and were pointing them at the suspect.

Deputy Gooseberry stated that she and Deputy Chevez approached the suspect, who was standing in the open doorway of his vehicle. She said she took a position to the right of Deputy Chevez, and saw Deputy Chevez take hold of the suspect's right arm with his left hand. She said Deputy Chevez, utilizing his left hand, turned the suspect away from him, causing him (suspect) to face his car. Deputy Gooseberry said that Deputy Chevez then let go of the suspect's arm, and patted the suspect's waistband

area with his left hand. She said that Deputy Chevez still had his gun in his right hand during his contact and search of the suspect.

Deputy Gooseberry said that after "sweeping" the suspect's waistband, Deputy Chevez told her, "Partner 417, hook him." She said that she holstered her weapon, retrieved her handcuffs with her right hand, and took hold of the suspect's right hand with her left hand. Deputy Gooseberry said she then attempted to place the handcuffs on the suspect, but the suspect swung his right elbow back, striking her in the chest. She said the suspect's actions caused her to lose her grip of the suspect's right arm. She said the suspect then began running north, then west, and then south around the rear of his (suspect's) vehicle.

Deputy Gooseberry said that Deputy Chevez followed closely behind the suspect, and took hold of the back of the suspect's shirt. She said Deputy Chevez followed the suspect around the rear of his (suspect's) vehicle, and she followed behind Deputy Chevez. She said that after going around his vehicle, the suspect took several more steps, turned to his left, and reached for his waistband. Deputy Gooseberry said she then saw Deputy Chevez point his weapon at the suspect, and fired approximately four rounds.

Deputy Gooseberry said the suspect fell to the ground, and began moving around. She said she and Deputy Chevez took positions of cover, and began ordering the suspect to stop moving. She said both she and Deputy Chevez initiated emergent radio traffic. She said that they advised that a shooting had occurred, and they requested additional deputies to their location. Deputy Gooseberry said that when the assisting units arrived they formed an arrest team. She said the deputies then, utilizing a protective shield, approached the suspect, and handcuffed him.

**IAB Note:** The Homicide Bureau Detectives summarized their interview with Deputy Gooseberry in a Supplemental Report included in this case book. See **Exhibit A, Page 39**. A Compact Disc, containing the audio recording of Deputy Gooseberry's interview, is also included in this case book. See **Exhibit H**.

**Witness Deputy Gooseberry** was interviewed by **Internal Affairs Bureau Sergeants,** Carlos Flores and Scott Graham, on March 20, 2012, at 1129 hours. She was represented by Green and Shinee Attorney Alphonso Estrada. The interview was digitally audio recorded.

Deputy Gooseberry's statement and description of the incident during this interview was essentially the same as she provided to Homicide Bureau detectives. She then answered questions relative to tactics and training.

Deputy Gooseberry stated that when she drove past the "Quick Stop" market she saw the suspect walking toward a vehicle in the parking lot. She said she recognized the suspect as a gang member, and someone she had contact with on a prior occasion. She said she had heard the suspect was known to sell narcotics, carry firearms, and was on parole.

Deputy Gooseberry said her partner, Deputy Chevez, pointed at the suspect, and they decided to contact him. She said she then initiated a U-turn, pulled into the parking lot, and parked the patrol vehicle facing in a southwest direction. She said that immediately upon stopping the patrol vehicle, she and her partner exited and approached the suspect. She said she immediately drew her weapon from the holster upon exiting the patrol vehicle. She said she drew her weapon because of what she knew and had heard about the suspect, and because she saw that he was holding on to his waistband as he walked. She said that based on her observations, she believed there was a possibility that the suspect was armed.

Deputy Gooseberry said the suspect became verbally hostile to both she and her partner. She said that they tried to explain to the suspect that they just wanted to talk to him, but the suspect continued to be argumentative. Deputy Gooseberry said Deputy Chevez took hold of the suspect's right arm, and turned the suspect away from him. She said that once the suspect was facing his own car, Deputy Chevez, standing behind and to the left of the suspect, conducted a search of the suspect's waistband. She said Deputy Chevez then told her that the suspect had a gun, and additionally told her to handcuff him.

Deputy Gooseberry said she holstered her weapon, took hold of the suspect's right arm, and retrieved her handcuffs. She said she knew that her partner had a grip on the suspect's left arm, and still had his firearm in his right hand. She said that when she attempted to handcuff the suspect's right wrist, the suspect struck her with his right elbow. Deputy Gooseberry said the suspect's actions caused her to lose her grip of the suspect, and also caused her to lose her balance. She said the suspect then began running in a north direction.

Deputy Gooseberry said Deputy Chevez took hold of the suspect's shirt in an effort to get him to stop. She said the suspect ran around the rear of his vehicle, and then turned in a south direction with Deputy Chevez maintaining a grip on the shirt. Deputy Gooseberry said she was following close behind Deputy Chevez, while at the same time attempting to put her handcuffs away and retrieve her firearm. Deputy Gooseberry said that when the suspect and Deputy Chevez reached the front passenger side door of the suspect's vehicle, Deputy Chevez lost his grip of the suspect's shirt.

Deputy Gooseberry said the suspect took several steps and then began turning his

body to the left, while at the same time reaching into the right side of his waistband. She said that Deputy Chevez then fired four rounds at the suspect, striking him. Deputy Gooseberry said the suspect then fell to the ground and began moving his body. She said she and her partner began shouting orders at the suspect to stop moving, and Deputy Chevez also initiated emergent radio traffic. Deputy Gooseberry said that when the suspect fell, she took a position of cover behind a parked vehicle, east of the suspect's position. She said Deputy Chevez took a position to the west. She said that when assisting deputies arrived, they formed an arrest team, and the suspect was handcuffed.

Deputy Gooseberry stated that at the time of the shooting, she did not fire her weapon for two reasons. She said she had not yet retrieved her firearm from her holster, and she was not in a safe position to fire. Deputy Gooseberry said she was still behind her partner when she saw the suspect turn, thus Deputy Chevez was in her field of fire. She said that based on her observations, she understands why Deputy Chevez shot the suspect. She stated that she believes the suspect was in the process of retrieving his weapon, and was going to shoot at her or her partner.

Deputy Gooseberry said Deputy Chevez was approximately 10 feet away from the suspect when he fired. She said that when the shooting occurred it was still light out, and the visibility was good.

**IAB Note:** During her interview Deputy Gooseberry was shown a photograph of the scene, and the sketch created by Scientific Services Bureau. Deputy Gooseberry was asked to mark her, Deputy Chevez', and the suspect's position at the time of the shooting. The photograph and sketch are included in this case book. See **Deputy Gooseberry's IAB Interview Transcript.**

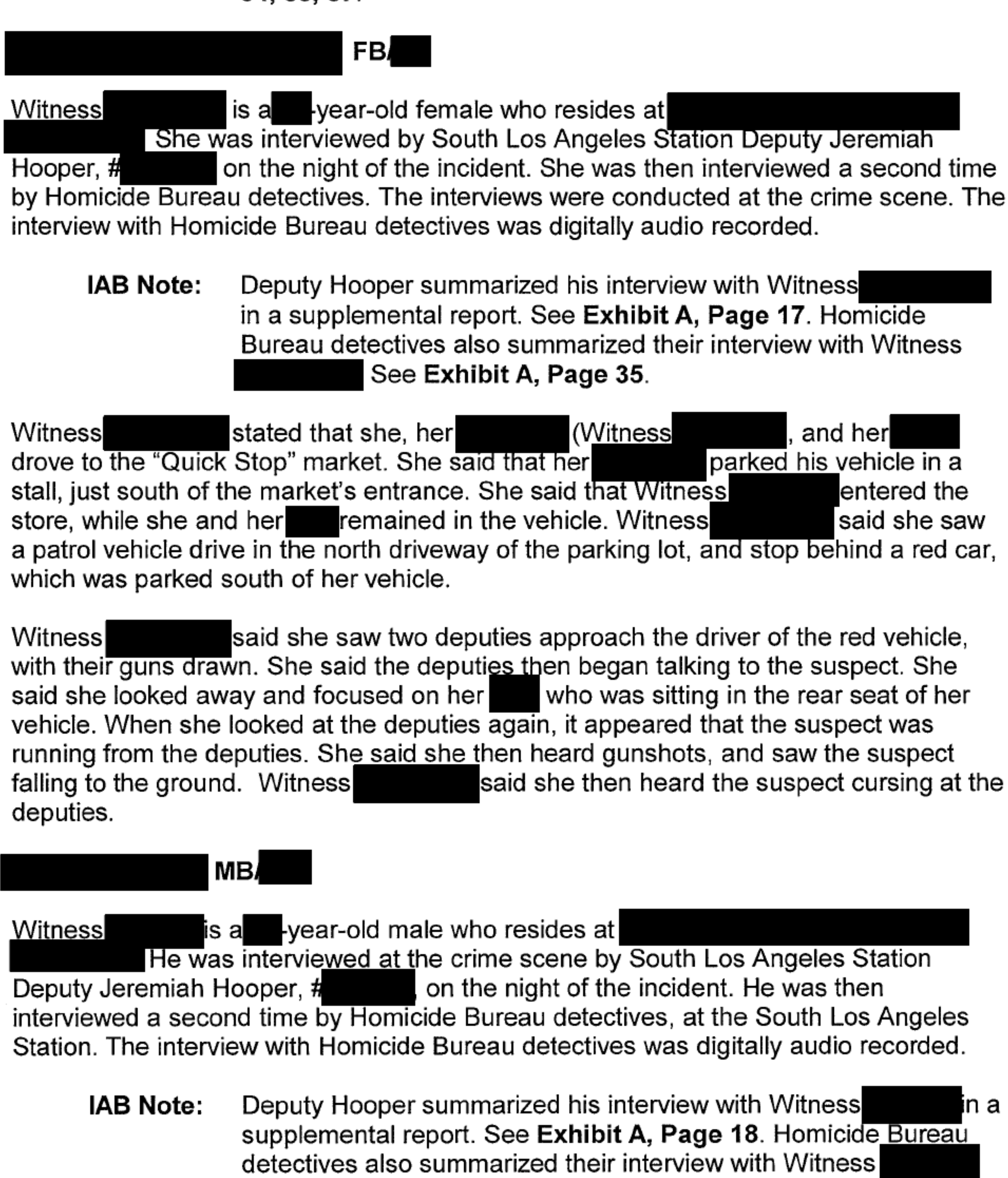
For her complete statements refer to Deputy Gooseberry's interview transcripts.

## CIVILIAN WITNESSES

The area near the shooting scene, at 12845 Prairie Avenue, was canvassed for any potential witnesses. The area was canvassed by Deputies from the South Los Angeles Station, Operation Safe Streets Bureau, and Homicide Bureau.

Several individuals stated they heard gunshots, but did not actually witness the shooting or had any knowledge of the circumstances surrounding the incident. The names of the residents contacted, and a summary of the deputies' contact with them, are documented on supplemental reports.

**IAB Note:** Supplemental reports detailing potential witnesses contacted are included in this case book. See **Exhibit A, Pages 12, 16, 21, 52,**



**54, 55, 57**.

[redacted] **FB/**[redacted]

Witness [redacted] is a [redacted]-year-old female who resides at [redacted] She was interviewed by South Los Angeles Station Deputy Jeremiah Hooper, #[redacted] on the night of the incident. She was then interviewed a second time by Homicide Bureau detectives. The interviews were conducted at the crime scene. The interview with Homicide Bureau detectives was digitally audio recorded.

**IAB Note:** Deputy Hooper summarized his interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 17**. Homicide Bureau detectives also summarized their interview with Witness [redacted] See **Exhibit A, Page 35**.

Witness [redacted] stated that she, her [redacted] (Witness [redacted], and her [redacted] drove to the "Quick Stop" market. She said that her [redacted] parked his vehicle in a stall, just south of the market's entrance. She said that Witness [redacted] entered the store, while she and her [redacted] remained in the vehicle. Witness [redacted] said she saw a patrol vehicle drive in the north driveway of the parking lot, and stop behind a red car, which was parked south of her vehicle.

Witness [redacted] said she saw two deputies approach the driver of the red vehicle, with their guns drawn. She said the deputies then began talking to the suspect. She said she looked away and focused on her [redacted] who was sitting in the rear seat of her vehicle. When she looked at the deputies again, it appeared that the suspect was running from the deputies. She said she then heard gunshots, and saw the suspect falling to the ground. Witness [redacted] said she then heard the suspect cursing at the deputies.

[redacted] **MB/**[redacted]

Witness [redacted] is a [redacted]-year-old male who resides at [redacted] He was interviewed at the crime scene by South Los Angeles Station Deputy Jeremiah Hooper, #[redacted], on the night of the incident. He was then interviewed a second time by Homicide Bureau detectives, at the South Los Angeles Station. The interview with Homicide Bureau detectives was digitally audio recorded.

**IAB Note:** Deputy Hooper summarized his interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 18**. Homicide Bureau detectives also summarized their interview with Witness [redacted] See **Exhibit A, Page 38**.

Witness [redacted] told Deputy Hooper that he had parked his vehicle in the parking lot, just south west of the suspect's car. He said he saw the suspect enter the "Quick Stop" market, and a short time later saw him exit. He said the suspect entered his vehicle, and he saw the deputies park their patrol vehicle behind the suspect's car. Witness [redacted] said he saw the deputies approach the driver's side of the suspect's vehicle, and the suspect exited his vehicle. He said the suspect lunged at the deputies, and began struggling with them. Witness [redacted] said that the deputies were trying to handcuff the suspect, but the suspect continued to struggle. He said the suspect struggled with the deputies for approximately 10-15 seconds, and was then able to get away from them.

Witness [redacted] said the suspect then ran in a southwest direction through the parking lot. He said he then heard a total of four gunshots, but did not know where the gunshots came from. He said he then saw the suspect stumble and fall to the ground. Witness [redacted] said he did not know where the suspect's hands were at the time of the shooting.

**IAB Note:** During his interview with Homicide Bureau detectives, Witness [redacted] said he saw the deputies approach the suspect and attempt to handcuff him. He said the suspect then pulled away from the deputies and started to run. Witness [redacted] then told the detectives that his attorney had instructed him not to say anything further regarding the incident. The Homicide Bureau detectives spoke to a man, via telephone, who claimed to be Witness [redacted] attorney. The man insisted that his client would not be making any additional statements. Witness [redacted] also told the deputies that he would not be making any additional statements. The interview was then terminated. Internal Affairs Bureau Sergeants, Carlos Flores and Kelly Adler were also present during Witness [redacted] interview with Homicide Bureau detectives.

**[redacted], MW/[redacted]**

Witness [redacted] is a [redacted]-year-old male who resides at [redacted] He was interviewed at the crime scene by South Los Angeles Station Deputy Jeremiah Hooper, #[redacted] on the night of the incident. He was then interviewed a second time by Homicide Bureau detectives at the South Los Angeles Station. The interview with Homicide Bureau detectives was digitally audio recorded. Internal Affairs Bureau Sergeants, Carlos Flores and Kelley Adler, were also present during that interview.

**IAB Note:** Deputy Hooper summarized his interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 19**. Homicide Bureau detectives also summarized their interview with Witness [redacted] See **Exhibit A, Page 39**

Witness [redacted] told Deputy Hooper that he was approaching the steps of the apartment building, [redacted] He said he then heard a gunshot, and saw the suspect running from the deputies, south through the parking lot. He saw a female deputy standing at the driver's side of the suspect's vehicle, and then heard an additional three to four gunshots. He said he then lost sight of the suspect. He said he then saw a male deputy standing on the north end of the lot, pointing his firearm in a south direction.

Witness [redacted] statement and description of the incident, during his interview with Homicide Bureau detectives, was essentially the same as he provided to Deputy Hooper. However, he stated that he believed the female deputy was the one who shot the suspect. He said he did not see if the suspect had any weapon in his hand, as he only saw the suspect for a very short time.

**[redacted] FB[redacted]**

Witness [redacted] is a [redacted]-year-old female who resides at [redacted]. She was interviewed by Operation Safe Street Detective Armando Arevalo, #[redacted] on the night of the incident. She was then interviewed a second time by Homicide Bureau detectives. Both interviews were conducted at Witness [redacted] residence. The interview with Homicide Bureau detectives was digitally audio recorded. Internal Affairs Bureau Sergeants, Carlos Flores and Kelly Adler, were also present during that interview. Her description of the incident during both interviews was essentially the same.

> **IAB Note:** Deputy Arevalo summarized his interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 57**. Homicide Bureau detectives also summarized their interview with Witness [redacted] See **Exhibit A, Page 37**

Witness [redacted] stated that she arrived home, at the apartment complex directly across the street from the "Quick Stop" Market. She said she parked her vehicle on the east curb of Prairie Avenue, facing north. She said she saw a Sheriff's Department patrol vehicle parked in the parking lot of the "Quick Stop." Witness [redacted] said she saw that two deputies had exited the patrol vehicle and were talking to a man sitting in a burgundy car.

Witness [redacted] said that as she walked toward the east sidewalk, she heard a gunshot coming from across the street. She said she instinctively "ducked" behind her car, and then looked across the street. She said she saw the suspect running away from his car, through the parking lot. She said that as the suspect ran, he turned to his left, looking over his shoulder at the deputies behind him. Witness [redacted] said the

suspect had his left hand close to his waist, "like he was holding something." She said she also saw the male deputy chasing the suspect.

Witness [redacted] said she then heard an additional three to four more shots, and saw the suspect fall to the ground. She said that it was the male deputy that shot the suspect. Witness [redacted] said she then heard the male deputy shout to the suspect, "I need to see your hands, I need to see your hands." She said that she also saw that the female deputy was talking on the radio, apparently asking for help.

**[redacted] MH/[redacted]**

Witness [redacted] is a [redacted] year-old male who resides at [redacted] He was interviewed by Homicide Bureau detectives on June 23, 2011, at 2305 hours. The interview was conducted at Witness [redacted] residence, and was digitally audio recorded. Internal Affairs Bureau Sergeants, Carlos Flores and Kelly Adler, were also present during the interview.

Witness [redacted] stated that he was inside his bedroom when he heard three gunshots outside. He said he looked out his [redacted] and saw the suspect get out of his car and run. He said the suspect stopped, turned around, and shot at a deputy, but missed. He said he saw a male and a female deputy, and believes the female deputy fired three shots at the suspect. Witness [redacted] said that the suspect then fell to the ground, and additional deputies arrived.

> **IAB Note:** The Homicide Bureau detectives summarized their interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 37**.

**[redacted] MB/[redacted]**

Witness [redacted] is a [redacted] year-old male who resides at [redacted] He was interviewed by Homicide Bureau detectives on June 23, 2011, at 2206 hours. The interview was conducted at the scene of the shooting, and was digitally audio recorded.

Witness [redacted] said he drove to the "Quick Stop" market, and parked directly in front of the entrance. He said that when he parked the car he saw that a Sheriff's Department patrol vehicle had stopped in the lot, and two deputies were talking to a Hispanic man sitting in his car. He said that he did not pay close attention to what was happening between the suspect and the deputies. He said he went inside the market, while his [redacted] (Witness [redacted] and her [redacted] waited in their car.

Witness [redacted] said that while inside the market he heard several gunshots. He said

he then heard the male deputy shouting to the suspect, "Don't move, don't move." He said that he did not see when the suspect got out of his car.

**IAB Note:** The Homicide Bureau detectives summarized their interview with Witness [redacted] in a supplemental report. See **Exhibit A, Page 36**.

**IAB Note:** On February 29, 2012, the Los Angeles District Attorney's Office issued their letter of opinion regarding this shooting incident. The letter concludes with the statement, "We conclude that Deputy David Chevez acted in lawful self-defense and defense of others when he used deadly force against William Lazaro Quiro. We are therefore closing our file and will take no further action in this manner." See **Miscellaneous Documents**.